

Louisiana Law Review

Volume 15 | Number 1

Survey of 1954 Louisiana Legislation

December 1954

Index-Digest of Acts of the 1954 Louisiana Legislature

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Repository Citation

Harold J. Brouillette and Charles A. Reynard, *Index-Digest of Acts of the 1954 Louisiana Legislature*, 15 La. L. Rev. (1954)

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Index-Digest of Acts of the 1954 Louisiana Legislature

Harold J. Brouillette* and Charles A. Reynard†

This index-digest does not cover all of the legislation enacted by the 1954 Regular Session of the Legislature. Among the statutes specifically excluded from treatment are acts discussed in Part I of this survey, local and special laws, acts increasing salaries, acts authorizing suit against the state, and most appropriation measures.

On August 4, 1954, the Louisiana Legislative Council published a compilation entitled *Resumé of Acts, Joint Resolutions, Vetoed Bills and Selected Resolutions Adopted at the 1954 Regular Session of the Louisiana Legislature*. These materials include a digest of every act as well as a complete index and compilation of certain statistical information with reference to the work of the 1954 legislature. Much credit for the index-digest published in this survey therefore rightfully belongs to the Legislative Council; its materials have been a constant source of reference and in many instances these materials have been set out verbatim.

This index-digest includes a reference to the titles and sections of the Louisiana Revised Statutes of 1950 which are amended, repealed, or added to by the 1954 acts. The sources of this information are the cumulative tables in *West's 1954 Louisiana Legislative Service, Pamphlet Number 4*.

Agriculture—Butterfat requirements in fluid milk

Act 344 prohibits the sale or delivery for human consumption of fluid milk which contains less than 3.8% butterfat, with a limitation that milk furnished military installations or federal hospitals on contract need merely meet specifications of the United States Public Health Ordinance and Code. [Amending R.S. 40:896]

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Agriculture—Commissioner to regulate use of herbicides

Act 497 authorizes the Commissioner of Agriculture and Immigration to define, after public hearing, dangerous herbicides and to promulgate rules and regulations concerning their use. Violations of these regulations are declared misdemeanors and penalties are specified. [Amending R.S. 3:1621]

Agriculture—Commissioner to test butterfat content

Act 129 authorizes the Commissioner of Agriculture to secure daily samples of unprocessed milk at milk plants for the purpose of checking the accuracy of the plant's testing procedure, upon which the price paid the producer is determined. [Amending R.S. 40:882, 40:889]

Agriculture—Dealers of anhydrous ammonia

Act 526 clarifies the law which specifies regulations to be observed by dealers of anhydrous ammonia by exempting from those regulations manufacturers who sell exclusively to other manufacturers or dealers. The act also changes the method of computing the annual permit fee for such manufacturers. [Amending R.S. 3:1353, 3:1356]

Agriculture—Defaulting milk buyers

Act 128 requires all persons in the business of buying milk from producers to post bond to secure payments therefor. It also requires the Commissioner of Agriculture to investigate any buyer who reportedly has failed in payments and, upon finding that the buyer is unable or unwilling to meet the payments, to collect on the surety bond and make the payments. [Amending R.S. 3:641, and adding R.S. 3:645]

Agriculture—Definition changes in seed sale regulations

Act 439 amends the regulations relative to the sale of seeds by changing the definition of "hybrid" and "noxious weeds." [Amending R.S. 3:1431, 3:1433]

Agriculture—Fees for examination of ice cream and flour

Act 472 repeals the exemption for dealers of ice cream and flour from payment of examination fees and investigation charges in connection with the registration of processed foods under the food and drug law. [Amending R.S. 40:628]

Agriculture—Regulation of milk products

Act 93 requires all fluid milk, cream, buttermilk, and milk beverages intended for human consumption to be "Grade A" as determined by the State Board of Health; milk products of a lower grade may be sold only under special permit from the board. The State Board of Health is also authorized to promulgate regulations in accordance with the act and is required to observe federal requirements as minimum. Parishes and municipalities are authorized to require higher standards than those imposed by this act and to revoke licenses for violations. [Repealing R.S. 40:921-930, and adding R.S. 40:921-925]

Agriculture—Sweet Potato Advertising and Development Commission

Act 327 eliminates the conflict between Acts 272 and 389 of 1952, which acts amended the law creating the Louisiana Sweet Potato Advertising and Development Commission. [Amending R.S. 3:453]

Agriculture—Tractor dealers exempt from Liquefied Gas Petroleum Commission permit requirement

Act 718 exempts retail farm tractor and equipment dealers from the requirement of obtaining a permit from the Liquefied Petroleum Gas Commission if the dealer does no more than make simple carburetor adjustments on the tractors sold. [Adding R.S. 40:1847.1]

Agriculture—Use of fibrous materials in livestock feed

Act 170 permits the use of rice hulls and other fibrous materials of low nutritive content in commercial livestock feed if the packages are labelled to show the maximum percentage by weight of such materials. Prior law prohibited such ingredients except in "quantities shown by reliable research to be utilizable by livestock as feed." [Amending R.S. 3:1893 (E)]

Banks and Banking—Advancements by federal savings and loan associations

Act 713 provides that advances made by any federal savings and loan association for taxes, repairs, rebuilding, and the like, on property covered by an original mortgage, shall be included in such mortgage. However, the aggregate of the advances added to the balance due on the original loan shall not exceed the amount of the original loan. [Adding R.S. 6:835.1]

Banks and Banking—Amendment to law regulating credit unions

Act 530 makes several amendments to laws regulating credit unions. Changes are made in the organizational, membership, surety bond and ordinary loan requirements, and in the restrictions as to loans to other credit unions. [Amending R.S. 6:641-642, 6:644-646, 6:648-651, 6:654-656, 6:658, 6:660, and adding R.S. 6:665-666]

Banks and Banking—Disposition of accounts of banks in liquidation in Orleans

Act 23 authorizes the State Bank Commissioner in the course of liquidating any bank in Orleans Parish to deposit unclaimed balances, trust accounts, and records with the Public Administrator. The prior law requiring such deposit to be made with the State Treasurer is now permissive. [Amending R.S. 6:389]

Banks and Banking—Disposition of records of banks in liquidation

Act 28 permits the State Bank Commissioner to make a written determination that any records of a bank in liquidation are worthless and unnecessary. It also prescribes the procedure to be followed before the records may be destroyed. [Adding R.S. 6:402]

Banks and Banking—Exemption from posting bond

Act 484 exempts banks or trust companies from the requirement of posting bond when acting as tutors or curators under the Uniform Veterans' Guardianship Act. [Amending R.S. 29:359]

Banks and Banking—Registration and sales of securities

Act 531 adds new requirements relative to the registration of securities. Securities previously not named in the act must now be registered, and more information than previously required must be given in applying for registration. Registration fees are changed, as well as fees for dealers and salesmen. [Amending R.S. 51:707, 51:708, 51:710]

Bond Issues—Facsimile signatures permissible

Act 684 permits public securities, authorized for issuance and delivery at any one time in the amount of \$5,000,000 or more, to be executed with facsimile signatures when authorized

by the issuing agency, provided at least one signature be manually subscribed. [Adding R.S. 39:473]

Bond Issues—Interest rate for ferry and bridge corporation bonds

Act 685 reduces the annual interest rate allowed for bonds issued by public ferry and bridge corporations from 6% to 5%. [Amending R.S. 48:1095]

Bond Issues—State Building Authority authorized to make issue

Act 13 increases the total amount of bonds which the State Building Authority is authorized to issue from \$9,750,000 to \$51,698,000. The act also provides changes as to the bonds themselves, such as maximum and minimum maturity dates, signatures required, and refunding. Further, it allocates the funds into various building projects. [Amending R.S. 38:2432-2437]

Bonds—Liquidation of state debt

Act 15 directs the Board of Liquidation of the State Debt to use any surplus funds which are derived from the $\frac{3}{4}$ mill tax imposed by Constitution Article XVIII(3) for confederate veterans, to retire callable bonds which become payable in September 1954 or thereafter. [Adding R.S. 39:410]

Bonds—Paid highway bonds to be microfilmed

Act 124 requires the Department of Highways to "file and retain" all paid highway bonds and coupons as a permanent record for a period of five years after cancellation. At the end of this period, they may be microfilmed and destroyed, and the microfilm will be accepted as legal evidence in any court. Prior law required these bonds and coupons to be retained permanently. [Amending R.S. 48:202]

Bonds—Surety bond to protect livestock dealers

Act 635 broadens the authority of the Louisiana Livestock Sanitary Board in regulating livestock sales by extending the surety bond protection to include purchasers of livestock. Prior law afforded this protection only to producers and shippers. [Amending R.S. 3:565]

Building and Loan Associations—Investment by custodians of pension funds and political subdivisions

Act 641 permits state-owned institutions, custodians of pension fund plans, any person or corporation acting in a fiduciary

capacity, public boards, political subdivisions, and the state itself to invest in shares of homestead and building and loan associations if they are insured by the Federal Savings and Loan Insurance Corporation. [Amending R.S. 6:872]

Building and Loan Associations—Maximum amount of single loan

Act 184 increases the amount of the maximum permissible single loans which may be made by building and loan associations in excess of 3% of total accumulated capital from \$5,000 to \$10,000. [Amending R.S. 6:756]

Building and Loan Associations—Mortgages may cover additional advance for repairs or rebuilding

Act 640 amends the Homestead and Building and Loan Law to provide that any building and loan association may advance money to its mortgagor for repairs or rebuilding of the mortgaged home and that the original vendor's lien and mortgage may secure such advance, provided, however, that the aggregate of all such advances when added to the balance due on the amount of the original loan shall not exceed the amount of the original mortgage. [Amending R.S. 6:767]

Building and Loan Associations—Own shares as security

Act 687 amends the provisions of the Homestead and Building and Loan Law which allow a building and loan association to accept its own shares as security in two ways: (1) by changing the allowable maximum amount of the loan so secured from 80% of the combined total appraised value of the immovable plus the book value of shares pledged to the aggregate of the approved loan value of the immovable plus 80% of the book value of the shares; (2) by requiring the reduction of the loan to the amount of the approved loan value of the immovable before the release of pledged shares, instead of a reduction of 80% of the appraised value of the immovable as required under prior law. [Amending R.S. 6:768]

Building and Loan Associations—Territorial restrictions on loans

Act 492 changes the territorial restrictions on building and loan associations in two parishes: (1) Plaquemines Parish is excluded from the parishes in which building and loan associations organized in New Orleans are permitted to make loans on immovable property. (2) Associations in Jefferson Parish

may make loans in St. Charles Parish and in Ward Six of Plaquemines Parish. [Amending R.S. 6:732]

Civil Code and Ancillaries—See page 9 *supra*.

Constitutional Amendments—See page 91 *supra*.

Corporations—Incorporation of Orthodox Churches

Act 226 permits Orthodox Churches to incorporate and provides the procedure to be followed. [Adding R.S. 12:391-393]

Corporations—Surviving liquidator to complete proceedings

Act 692 authorizes the surviving liquidator of a business corporation to complete the liquidation proceeding if a vacancy occurs in the office of one or more of the appointed liquidators and is not filled within ten years, if the proceeding is not subject to the supervision of the court. [Amending R.S. 12:60]

Courts—See page 38 *supra*.

Criminal Law and Procedure—See page 55 *supra*.

Education—Birth record required for entering school

Act 573 requires children entering the first grade of any school in the state to present a copy of their official birth records. The parish superintendent of schools is given discretion to permit children who fail to comply to begin school. Louisiana-born children may submit records from local or state registrars of vital statistics; children born in other states, from comparable state agencies; and foreign-born children may submit birth facts shown on their passports or citizenship papers. [Adding R.S. 17:167]

Education—Caddo Parish School Board

Act 2 reorganizes the Caddo Parish School Board by specifying new districts from which members are to be elected and new election dates. [Adding R.S. 17:61]

Education—Cooperation with Cordell Hull Foundation

Act 200 directs all state-supported colleges and universities to cooperate with the Cordell Hull Foundation in its educational activities, and authorizes these schools to waive tuition fees for scholars receiving aid from this foundation. [Adding R.S. 17:1802]

Education—Creation and establishment of facilities for Louisiana Educational Television Commission

Act 548 creates the Louisiana Television Commission and specifies its membership, powers, and duties. The function of the commission is primarily to aid in the development, promotion, and use of educational television in the state. The act appropriates \$52,000 to cover operational expenses for a two-year period.

Act 591 authorizes the State Board of Education, the Louisiana State University Board of Supervisors, and the State Department of Education to take the necessary steps for the establishment and maintenance of educational television facilities for the state. [Act 548 adding R.S. 17:2501-2508; Act 591 adding R.S. 17:2751-2753]

Education—Dedication of property for school purposes

Act 572 provides that when the deed of acquisition of immovable property stipulates that such property is to be used for educational purposes, and the use of the property is abandoned to any school board and used for school purposes for more than ten years, such property may be dedicated to the public for school purposes. The act does not, however, apply to land owned by the state or its political subdivisions. [Adding R.S. 41:637]

Education—Ex officio treasurer of Orleans Parish School Board

Act 690 provides that the superintendent of public schools of Orleans Parish shall be ex officio treasurer of the Orleans Parish School Board. Under prior law, the Commissioner of Public Finances of the City of New Orleans served in that capacity. [Amending R.S. 17:123]

Education—Grambling College entitled to T. H. Harris Foundation Scholarships

Act 78 adds Grambling College to the list of colleges whose students are entitled to Thomas H. Harris Scholarship Foundation scholarships. [Amending R.S. 17:1782]

Education—Jefferson Parish School Board

Act 211 makes several changes in the district representative arrangement of the Jefferson Parish School Board. An additional qualification for membership on the board is that members

must have "education equivalent to a high school graduate level." The act is to become effective only if approved by a majority of the voters of Jefferson Parish in the November 1954 general election. [Amending R.S. 17:60]

Education—Leaves of absence for teachers or school employees

Act 647 authorizes parish school boards to grant leaves of absence without pay, not to exceed one year, to any regularly employed teacher or other employee who requests such a leave. This leave does not affect any tenure rights of the applicant. [Adding R.S. 17:1218]

Education—Northwestern State College may grant Master's Degree in Education

Act 81 directs the State Board of Education to take the necessary steps to enable Northwestern State College at Natchitoches to grant the Master's Degree in Education. [Adding R.S. 17:2078]

Education—Orleans Parish School Loan Fund Committee composition clarified

Act 646 corrects an ambiguity in the law designating the composition of the Orleans Parish School Loan Fund Committee by declaring that reference to the governing authority of the parish shall mean the city council rather than the parish school board. [Amending R.S. 17:1752]

Education—Sale of school indemnity lands

Act 270 increases the minimum sale price of school indemnity lands offered at public auction from \$2.50 to \$5.00 per acre. If the land is withdrawn from sale because of failure to bring the minimum, it may thereafter be sold only after further advertisement and never below the stated minimum. Prior law permitted private sale if the auction failed to bring the minimum price. [Amending R.S. 41:803]

Education—Sale of sixteenth section lands to school boards

Act 86 authorizes the Register of the State Land Office to sell sixteenth section lands in lots of five acres or more to parish school boards to be used for educational purposes. The act makes provision for application for the purchase by the school board. School indemnity lands are excluded. The sale of such lands to third persons is prohibited. The land must be returned

to the state if it should cease to be used for school purposes. [Amending R.S. 41:631]

Education—School boards may mortgage plants to federal government

Act 452 authorizes parish school boards to execute bonds or to mortgage their school plants and land to secure the safe-keeping of equipment loaned to them by the federal government for use in military training. [Amending R.S. 17:81]

Education—Segregation—Assignment of students to particular school by parish superintendent

Act 556 authorizes the parish superintendent of schools to assign each student to a particular public school within the parish; no child is entitled to attend school until he has been so assigned. The act provides further that the parents or next of kin of the students may protest assignments by applying for a hearing within ten days after the assignment is made. The superintendent must hold a hearing and issue a written decision within thirty days. The decision is subject to review by the parish school board, and decisions of the board may be appealed to the district court. [Adding R.S. 17:81.1]

Education—Segregation—Exercise of state's police power

Act 555 provides that in the exercise of the state's police power, public elementary and secondary schools are to be operated separately for white and colored children. The act forbids the State Board of Education to recognize certificates of graduation awarded by any school which violates the act; free books, supplies, and school lunch funds are denied to non-complying schools. Violations are declared misdemeanors and punishable by fines of from \$500 to \$1000 or imprisonment for from thirty days to six months, or both. [Adding R.S. 17:331-334]

Education—Sick leave for school bus operators

Act 146 authorizes school bus operators to have ten days sick leave per school year without loss of pay. This leave may be cumulative to the extent of twenty-five days in any three year period when certified by a physician. [Adding R.S. 17:500]

Education—Tenure rights granted teachers employed by Board of Institutions

Act 588 grants tenure rights to teachers employed in insti-

tutions under the administration of the Board of Institutions and specifies the tenure system. [Adding R.S. 17:471]

Education—Trade school for Negroes in New Orleans area

Act 394 creates a trade school for Negroes in the New Orleans area and provides that it shall be administered by the State Board of Education. The act provides further that the legislature shall appropriate funds necessary for building, equipping, and maintaining the institution. [Adding R.S. 17:10.1]

Education—Use of check-signing machines

Act 31 authorizes parish and city school boards to permit their presidents to use check-signing machines. Prior law required original signatures of presidents. [Amending R.S. 17:97]

Education—Validating provision for school district law

Act 303 adds to Chapter Three of Title Seventeen of the Revised Statutes ("School Districts") a provision validating, ratifying, and confirming school districts heretofore created or purported to have been created and validating all taxes levied and indebtedness contracted by or for them. [Adding R.S. 17:1371.2]

Elections—Approval of personnel employed by custodian of voting machines

Act 214 repeals the requirement that state and parish custodians of voting machines each secure the other's approval when employing personnel to assist them in the performance of their duties in connection with the machines. The act also requires the parish custodian, when giving notice to candidates of the opening of the voting machines after elections, to specify the date, hour, and place. [Amending R.S. 18:1163-1164]

Elections—Breaking of seals on voting machines

Act 64 requires all voting machines to remain locked and sealed until the fourth day after being used in an election. It requires the parish custodian to break the seals, open the machines and transcribe the totals for each candidate as they appear on the machines and the absentee and military ballots. This is to be done in the presence of the candidates or their representatives. Prior law required the machines to remain sealed and locked until 3:00 p.m. on the tenth day after being used in an election and did not require that the machines be opened in view

of the candidates or their representatives. [Amending R.S. 18:1193]

Elections—Commissioners for second primaries

Act 629 provides that in all second primary elections except for Governor or mayor, the same commissioners and watchers who served in the first primary as the representatives of candidates who remain candidates in the second primary shall serve in the second primary. The act deletes the prior provision: "No commissioner or watcher who has been appointed and served as a commissioner in the first primary and who is required to serve in the second shall fail to serve unless he is incapacitated." [Amending R.S. 18:357]

Elections—Composition of political municipal committees

Act 70 provides that municipalities which have not been divided into municipal wards shall have political municipal committees composed of five members each. Under prior law, where there were less than three wards in a municipality, each committee was composed of three elected members. The act also changes the composition of committees in municipalities of less than 5,000 population. [Amending R.S. 18:285, 18:431]

Elections—Cost of voting machines to be borne by state

Act 337 provides that title to all voting machines shall be in the state and that their entire cost must be borne by the state. The parishes and cities which have paid one-half the cost of acquiring the machines are to be reimbursed from appropriations to be made by the legislature. [Amending R.S. 18:1172]

Elections — Deadline for submitting list of proposed commissioners

Act 626 changes the deadline before which each local candidate in each parish must submit a list of proposed commissioners from 5:00 p.m. on the 40th day before the election to 5:00 p.m. on the 47th day. The act also requires the list of names of persons selected to serve as alternate commissioners to be submitted no later than 5:00 p.m. on the 10th day before the election. Prior law did not stipulate the hour of the day. [Amending R.S. 18:340, 18:342]

Elections—Deposit by candidate for municipal elections—pro rata refund

Act 512 authorizes the committee calling a municipal pri-

mary election to require a deposit of not more than \$100 from each candidate as a prerequisite to having his name placed on the ballot. Any unexpended balance of such deposits after costs of the primary have been paid must be refunded to the candidates on a pro rata basis. [Amending R.S. 18:311]

Elections—Deposits refunded to candidates who withdraw

Act 627 authorizes the refund of deposits made by candidates who withdraw their candidacy, provided they file their withdrawals with the State Central Committee prior to the deadline for submitting their lists of proposed commissioners. Prior law prohibited refunds if candidates had submitted lists of proposed commissioners whether the withdrawal occurred prior to this deadline or not. [Amending R.S. 18:311]

Elections—Election of presidential electors

Act 71 changes the law providing for the election of presidential electors. The act requires the ballot at a general election at which presidential electors are to be voted upon to indicate the name of the party, the national party emblem, the names of the party's candidates for president and vice-president, and the names of candidates for presidential electors. The ballots are to be arranged so that a straight party lever or stamping of a single emblem will cast a vote for all electors of the party favored. The Secretary of State is to list party designations on the ballot alphabetically. [Amending R.S. 18:622-623, 18:671]

Elections—Hour for closing polls

Act 633 changes the hour for the closing of voting polls from 9:00 p.m. to 8:00 p.m. [Amending R.S. 18:1181]

Elections—Information regarding ballots

Act 94 repeals the provision prohibiting persons charged with compiling, making up, or printing the official ballot from giving information regarding the ballot or its forms. [Repealing R.S. 18:588(B)]

Elections—Maintenance cost for voting machines

Act 375 requires the state to pay all expenses of maintenance, operation, and use of voting machines in those parishes whose total general fund receipts, exclusive of gasoline tax receipts and funds received from the federal government, are less than \$50,000 per calendar year. [Adding R.S. 18:1197]

Elections—Military ballots

Act 68 deletes the requirement that military ballots furnished by the Secretary of State be stamped "Military Ballot." [Amending R.S. 18:1103]

Elections—New Orleans no longer required to publish description of ward and precinct boundaries

Act 631 deletes the provision requiring the City of New Orleans to "cause to be published an accurate description of the ward boundaries and election precincts within ten days of any election." [Amending R.S. 18:586]

Elections—Pay of clerk who acts as returning officer in general elections

Act 96 provides that persons who serve as clerks in general elections and who return ballot boxes and voting machine keys shall receive a fee of \$5. Under prior law, the fee for this service was an additional day's pay at the same rate as for a commissioner. [Amending R.S. 18:557]

Elections—Pay of commissioner who acts as returning officer in primary election

Act 97 provides that the commissioner who is designated as returning officer in primary elections and who returns the ballot boxes, voting machine keys and a copy of the election returns to the clerk of the district court shall receive a fee of \$5 instead of an additional day's pay as formerly provided. [Amending R.S. 18:339]

Elections—Permanent registration provisions

Act 250 changes the provisions for administration of the system of permanent registration of voters in certain parishes. It extends the date on which the system will take effect. The duty to return precinct registers to the registrar of voters in primary and general elections is transferred from a designated voting commissioner to the clerks of court and in Orleans to the clerk of the Criminal District Court. [Amending R.S. 18:231, 18:249, 18:254, 18:257]

Elections—Poll lists and tally sheets

Act 632 provides that the envelope with the triplicate poll lists and triplicate tally sheets in primary elections for district,

parochial, ward, or municipal offices shall be mailed to the chairman of the committee ordering the primary in each parish. [Amending R.S. 18:354]

Elections—Posting of election results

Act 65 requires election commissioners to post election results at the voting precinct in public view. Under prior law, results were posted on the outside of the voting machines and were to remain on the machine until the seals were broken. [Amending R.S. 18:1190]

Elections—Primary election ballot requirements

Act 67 deletes the requirement that ballots in primary elections be printed on pages of uniform size. It adds a requirement that candidates bear the same number in the second primary as that assigned in the first. Where horizontal voting machines are used, party designation shall be printed in large capital letters and placed on the left hand side of the ballot in a prominent place. The act deletes the requirement that all ballots have perforated slips at the bottom of the ballot and square spaces opposite the number given each candidate; this requirement is continued only for absentee ballots. [Amending R.S. 18:316]

Elections—Qualifications for committee membership

Act 373 provides that members of the State Central Committee must have been registered as a party member at least two years before becoming members; members of other committees must have been registered at least six months. Under prior law, committee members were required to have been registered five years. [Amending R.S. 18:290]

Elections—System for establishing party committees

Act 374 provides a system for establishing party committees in parishes where no committees have been elected since 1940 under the primary election law and in municipalities which have no committee, and sets out the procedure to be followed. [Amending R.S. 18:285]

Elections—Time changes for promulgating returns

Act 672 amends the law relating to the promulgation of returns in all primary elections except for Congress or state offices by permitting the committee chairmen to open, tabulate, and

compile the returns within six days after the election rather than by noon of the fourth day as formerly required. The act also deletes the requirement that the committee reconvene "at the same place" for the purpose of being informed of the results. [Amending R.S. 18:355]

Elections—Time for commissioners' oath—Failure of commissioners to appear

Act 628 provides that in general elections the commissioners shall take the oath at 5:30 a.m. Prior law required merely that "before entering upon discharge of their duties they shall take the oath." The act also provides that if no commissioners have been appointed or if none have appeared at 5:30 a.m., those persons present shall hold a meeting and elect three commissioners. If one commissioner appears, he is to appoint the other two; and if two appear, they are to appoint the third. Prior law provided that if none had been appointed or none had appeared within one hour after the time fixed for opening the polls, those present should elect the commissioners; but if one was present, he was to appoint a second, and the two appoint a third. [Amending R.S. 18:590-591]

Elections—Time for instruction to commissioners

Act 69 requires instructions to be given commissioners and alternate commissioners not less than four days before an election. Under prior law, instructions were to be given on the seventh day before election. [Amending R.S. 18:1179]

Elections—Time for ordering primary in municipalities which have elections at different time from state elections

Act 630 provides that in municipalities whose elections for municipal or ward officers fall on a date different from that of the general election for state officers or Congressmen, committees of political parties shall meet not less than 118 nor more than 133 days prior to the election to order such primary. Prior law required this meeting to be not less than 111 days prior to the primary. [Amending R.S. 18:304]

Elections—Use of voting machines

Act 66 requires all parishes to use voting machines in all elections provided for by law on and after the date fixed for the first congressional primary. Prior law required use of the machines after July 27, 1954. The act also provides that the use

of voting machines is optional in every parish when the only question to be voted on is the incurring of a debt and the issuing of bonds or the levying of special taxes. Under prior law, the use of machines was optional only in parishes with a population of less than 50,000. [Amending R.S. 18:1165]

Elections—Vehicles transporting voting machines exempt from regulations

Act 95 exempts "motor vehicles operated in the transportation of voting machines and election supplies from a parish warehouse to polling places and return" from the regulations of the Public Service Commission. It exempts those vehicles from the necessity of obtaining the certificates or permits which are required of common and contract carriers. [Adding R.S. 45:172 B(5)]

Employees—Authorization to withhold for United Givers Fund

Act 119 permits state and parish employees to authorize in writing employing departments to withhold certain amounts from their salaries to be contributed to the United Givers Fund, the United Fund, and the Community Chest; withholdings may also be authorized for repayments on loans made by credit unions. [Adding R.S. 42:456]

Expropriation—Highway lands for limited access may be leased

Act 120 restates in civil law terminology the law authorizing the Department of Highways to acquire land for limited access and service roads and adds authority to lease or exchange such lands. Under prior law, the Department was required to expropriate ownership of the lands. [Amending R.S. 48:312]

Expropriation—Title vests in plaintiff if no appeal is taken

Act 48 provides that in expropriation suits, if the defendant refuses to accept a payment of the amount adjudged but does not appeal, title may vest in the plaintiff upon deposit of the purchase price in the registry of the court and the issuance of a receipt therefor by the clerk of court. [Adding R.S. 19:14] See also *Highways*, page 122 *infra*.

Flag—Display of United States Flag

Act 449 makes slight changes in the act specifying the times and places for displaying the United States flag over state departments and institutions. [Amending R.S. 49:152-153]

Forestry—Interstate Forest Fire Protection Compact

Act 419 authorizes the Governor to enter into an interstate compact known as the South Central Interstate Forest Fire Protection Compact, which provides for mutual aid among member states in combating and preventing forest fires. [Adding R.S. 56:1496]

Forestry—Proceeds from sale of seedlings by Forestry Commission

Act 533 provides that receipts from sale of seedlings from the Forestry Commission's nurseries shall be retained by the commission for use in its operation. [Amending R.S. 56:1502-1503]

Governor—Inaugural Commission

Act 279 creates the Inaugural Commission and prescribes its membership. This commission is to plan, direct, and conduct the inauguration of the Governor and other state officials in 1956. An expense limit is set and that amount is appropriated. [Adding R.S. 49:171-172]

Governor—Solicitation of inauguration funds prohibited

Act 280 prohibits the solicitation of funds for the expenses of the inauguration of the Governor or state officers and fixes a fine for violation. [Adding R.S. 49:173]

Highways—Amendment to Bridge and Ferry Authorities Act

Act 683 amends the Bridge and Ferry Authorities Act by authorizing members of the board of directors to serve terms of less than five years if the articles of incorporation so provide. The Governor, when so requested by the authority, is authorized to appoint board members with overlapping terms. [Amending R.S. 48:1093]

Highways—Bridge Revenue Bond Law

Act 664 makes changes in the Bridge Revenue Bond Law. It conditions the authority of parishes to construct bridges upon the approval of the Department of Highways as to location and integration with the highway system of the state. Under the act the governing body of the parish may provide for the issuance of revenue bonds to finance the construction of bridges. These bonds shall not affect the general credit of the state or any

political subdivision. The principal and interest on the bonds is to be secured by a conventional mortgage on the bridge and by the pledge of sufficient revenues. [Amending R.S. 48:852, 48:859, 48:862, 48:881, 48:887, 48:893]

Highways—Creation of Louisiana Expressway Authority

Act 232 creates the Louisiana Expressway Authority. Its purpose is to facilitate vehicular traffic, to diminish present highway handicaps and hazards, to promote safety on congested highways, and to make possible the construction of modern express highways. The act provides for a five-member authority with power to issue revenue bonds payable solely from tolls, to acquire land, to fix rules and regulations, and to make all contracts necessary to fulfill the purposes of the act. [Adding R.S. 48:1251-1280]

Highways—Department declared a body corporate for purpose of incurring bonded indebtedness

Act 5 contains two basic and integrated provisions: (1) a declaration that the Department of Highways is a body politic and corporate, and (2) an authorization for a \$50,000,000 bond issue for the construction and improvement of state highways, together with a further declaration that these bonds shall not constitute obligations of the state or other political subdivision. [Adding R.S. 48:13, 48:27-34]

Highways—Department given authority to remove signs and obstacles erected in violation of law

Act 126 authorizes the Department of Highways to remove structures, signs, or obstacles on state highways which are there in violation of law. Where the obstacle to be removed has no value, no notice need be given the owner. If of value, the owner must be given five days notice if he can be found; and, if not, the notice is posted on the object to be removed. Failure of the owner to remove the object operates as a forfeiture of his rights and makes him liable for damages. Under prior law, it was necessary for the director of the Department of Highways to apply for a court order of removal before any action could be taken. [Amending R.S. 48:347]

Highways—Department's authority to microfilm and destroy records

Act 144 amends prior law permitting the director of the Department of Highways to microfilm and destroy documents

at his discretion. The destruction of fiscal documents is prohibited until audits have been completed by the State Auditor and until the microfilming and destruction have been approved by the highway auditor. [Amending R.S. 48:201]

Highways—Expropriation of land for highway purposes

Act 107 provides an additional method and procedure by which the Department of Highways may expropriate property for highway purposes. The act authorizes the department to enter the property after filing suit and depositing with the court the proposed price. Failure of the defendant to file a motion to dismiss the suit within ten days constitutes a waiver of all defenses except as to amount of compensation, for which thirty days is allowed for answering. The act also sets forth rules to be followed in case of a hearing. [Adding R.S. 48:441-460]

Highways — Penalties for violation of speed regulations by freight-carrying vehicles

Act 547 specifies penalties to be imposed for violations of the existing law which prohibits the operation of freight-carrying vehicles at speeds in excess of 45 miles per hour outside unincorporated towns or 25 miles per hour within such towns. The act further declares that an offender who is involved in an accident shall be prima facie at fault and responsible for any damage resulting. [Amending R.S. 32:225]

Highways—Restrictions on erection of traffic signs on state routes

Act 501 prohibits parochial authorities or municipalities of less than 5,000 population from erecting warning or direction signs, markers, or signal lights on state routes without the approval of the Department of Highways. Signs or markers already erected may not be maintained without such approval after January 1, 1955. Cities of more than 5,000 population may avail themselves of the technical advisory services of the Traffic and Planning Section of the Department of Highways in the erection of such signs or markers. [Amending R.S. 32:341, 48:345]

Highways—Stock Law and appropriation to defray part of cost of fencing

Act 202 provides the first state-wide stock law in Louisiana history. Owners of livestock are prohibited from allowing them at large on public highways which have a traffic count of one thousand or more vehicles per day. Violation of the act consti-

tutes a misdemeanor and penalties are specified; provision is made for impounding stock found at large in violation of the act. Police juries are authorized to pay the cost of fencing the highways which are affected. The act also provides an appropriation of \$100,000 to the Department of State Police to defray the cost of administering the law for a two-year period.

Act 187 appropriates \$400,000 for a two-year period to pay up to one-half the cost of providing materials for the building of fences required by Act 202. [Act 202 amending R.S. 3:2801-2807; Act 187 adding R.S. 3:2808-2809]

Highways—Use of tunnels

Act 125 authorizes the Department of Highways to regulate the use of tunnels which it operates and maintains, and requires the posting of these regulations near the entrances of the tunnels. The act prohibits the granting of overweight or oversize permits for passage through a tunnel and specifies penalties for violation of the department's regulations. [Adding R.S. 32:3]

Homestead—Deadline for filing tax exemptions

Act 181 repeals the requirement that homestead tax exemptions, except in Orleans, be filed by May 15. [Repealing R.S. 20:34]

Homestead — Entry on tax-adjudicated state lands — Korean veterans

Act 10 extends to veterans of the Korean conflict who were discharged between June 27, 1950, and July 26, 1953, the same privileges for homestead entry on tax-adjudicated state lands as those for World War II veterans. [Amending R.S. 41:591]

Homestead—Tax exemptions—Loss resulting to political subdivisions

Act 167 prohibits disbursement of funds to reimburse political subdivisions of the state for loss sustained through homestead tax exemptions other than parish-wide or district-wide taxes for public schools, drainage, levees, public toll-free roads, and taxes authorized prior to the effective date of this act. [Amending R.S. 39:253]

Hospitals — Board of Administrators of New Orleans Charity Hospital

Act 719 increases the membership of the Board of Administrators of New Orleans Charity Hospital from ten to twelve.

The act also increases the length of overlapping terms for members and changes the method of filling vacancies which may occur. [Amending R.S. 46:753]

Hospitals—Fees of attorney for New Orleans Charity Hospital

Act 720 increases the fee to be paid the special attorney assigned by the Attorney General to represent the New Orleans Charity Hospital. [Amending R.S. 46:15]

Hotels and Lodging Houses—Admission not to be refused because of "Seeing Eye Dog"

Act 83 permits any person with impaired eyesight to take a trained "Seeing Eye Dog" used as his guide into any place where the general public is invited. The act specifies penalties for anyone who refuses to admit the dog into such places. [Adding R.S. 21:52]

Housing—City housing authorities prohibited from carrying out redevelopment projects

Act 711 repeals the power of city housing authorities to carry out redevelopment projects and to exercise normal powers in this connection. Section 2 of the act excepts any such projects in areas declared by resolution of municipal governing authorities to be blighted areas and on which commitments for federal financing have been made. [Repealing R.S. 40:474(13), (14)]

Housing—Rights of families whose dwellings are demolished under Housing Cooperation Law

Act 80 modifies the Housing Cooperation Law by requiring that the governing authority see to it that those families who are displaced because of demolition of their dwellings are relocated. The act provides further that when a structure is condemned and demolished, the property owner shall retain his equity in the land, regardless of whether it is subsequently subdivided, unless the land is expropriated for a municipal use.

Act 79 is a companion act of Act 80. Act 79 amends the Slum Clearance Law by requiring a "feasible method" for temporary relocation of families displaced from the project area through demolition of a structure. It requires an equal number of safe, sanitary, and reasonably priced dwellings to be built to replace those demolished. The act permits the owner of a condemned and demolished dwelling or business place to retain his equity in the land, regardless of whether it is subsequently subdivided,

unless the land is expropriated for a municipal use. [Act 80 amending R.S. 40:533; Act 79 amending R.S. 40:564]

Housing—Rules of evidence apply in hearings under Slum Clearance Law

Act 710 repeals the provision declaring that the rules of evidence are not controlling in hearings before public officers who work under the Slum Clearance Law. [Repealing R.S. 40:565]

Housing—Sales of immovable property under Redevelopment Housing Projects Law

Act 709 repeals the provisions of the Redevelopment Housing Projects Law governing the sale of immovable property. [Repealing R.S. 40:481 (B), (C)]

Institutions—Mental Health Law

Act 701 enacts several amendments to the Mental Health Law. The principal changes are in the procedures for voluntary admission and coroner's commitment to state mental institutions. An added section provides a new method of release for voluntary patients. The superintendent of a state mental institution may release an improved patient "on a convalescent status" with the patient continuing to be the responsibility of the releasing hospital. [Amending R.S. 28:3, 28:21, 28:24, 28:51, 28:52, 28:55, 28:91, 28:96, 28:181, and adding R.S. 28:50, 28:98.1, 28:100.1]

Insurance—Cooperative and assessment insurers

Act 98 amends the law which barred cooperative or assessment insurers from doing business. Such insurers may now, upon conversion to a type of insurer with greater insuring powers, continue to issue industrial policies by complying with applicable provisions of the Insurance Code. The act waives the applicability of the reserve requirements of R.S. 22:162 (E) to policies issued after conversion. If this reserve requirement is met without a reduction below 25%, policies issued prior to conversion which are in effect may be retained. [Amending R.S. 22:803]

Insurance—Examination of records of surplus line broker by Secretary of State

Act 100 provides that in examining the records of a surplus line broker, the Secretary of State must comply with the provi-

sions of the Insurance Code concerning examinations and investigations of insurers. [Amending R.S. 22:1263]

Insurance—Extent of policies issued by industrial insurers

Act 99 allows domestic industrial insurers who were not authorized to write policies in excess of \$1250 without converting to another type insurer, to acquire such authority by meeting the minimum capital, surplus, and deposit requirements prescribed by the Insurance Code for an ordinary insurer. After meeting these minimum requirements and after the appropriate charter amendment, these insurers may, with or without conversion to an ordinary insurer, issue industrial policies on a single life not to exceed \$2500. If the policy covers funeral costs, it is not to exceed \$1250 on a single life. [Amending R.S. 22:258]

Insurance—Fire marshal tax rate

Act 388 increases the tax of gross annual premium receipts on fire insurance from $\frac{3}{4}$ of 1% to 1%. [Amending R.S. 22:1077]

Insurance—Form of health and accident policies

Acts 101 and 102 amend Section 212 of the Insurance Code by adding certain requirements as to form in health and accident policies. Act 101 requires that if the policy is subject to cancellation or renewal at the option of the insurer, "there shall be prominently printed on the first page of such policy a statement so informing the policyholder." Act 102 requires the insurer to include a provision in the policy notifying the holder that he has ten days to examine its provisions. If there was any deception practiced in its solicitation, the policy may be surrendered by the holder, and the insurer must return the premium without delay. [Acts 101 and 102 amending R.S. 22:212]

Insurance—Group insurance coverage

Act 292 authorizes more public groups to take out group life insurance. Now included are all governmental or administrative subdivisions, departments, or agencies of the state, the governing board and authorities of each state university, college, common or independent school district, or any other agency or subdivision of the public school system. [Amending R.S. 42:821]

Insurance—Group plans for sheriffs and deputies

Act 238 requires all sheriffs to be insured under group policies of life, health, accident, and hospitalization in the amounts

contracted for by the Louisiana Sheriffs' Association. Prior law required only group life insurance of \$2000. The act further provides that the premiums are to be paid out of the sheriffs' salary fund except in Orleans Parish. Formerly, only part was paid from the salary fund. [Amending R.S. 33:1448-1449]

Insurance—Health and accident policies must include incontestable clause

Act 103 adds provisions to the Insurance Code prescribing time limits within which certain defenses may be made. It also requires the insurer to state these time limits in the policy. After the passage of three years from the effective date of the policy, except where fraud is shown, the insurer cannot deny a claim or void a policy on grounds of a misstatement by the policyholder made at the time of issuance of the policy. Expressly excepted are the sections which provide for the effect of a misstatement as to age, change of occupation, and the extent of other insurance coverage.

The act further provides that a defense to claims on health and accident policies which is often made by insurers, namely, that the policyholder had the disease or physical condition on which the claim is based prior to the effective date of the policy, may not be used if the claim is commenced after three years from the date of issuance of the policy. [Amending R.S. 22:213 (A) (13)]

Insurance—Report of municipalities as to fire-fighting equipment

Act 458 changes the deadline from December 31 to October 1 of each year for the governing body of a municipality or fire and waterworks district to file a verified statement with the State Treasurer that such subdivision has fire-fighting equipment in serviceable condition with a value of \$1000 or more. [Amending R.S. 22:1581]

Insurance—Unfair or deceptive advertising practices

Act 87 amends the Insurance Code to impose greater restrictions on advertising policies or plans. It prohibits representations of coverage to groups of persons who do not fall within groups defined in the code. When advertising a health and accident policy which is either cancellable or renewable at the option of the insurer, the insurer must include a statement to that effect. If the advertisement sets forth coverage benefits or advantages,

it must disclose the major limitations as well. [Amending R.S. 22:1214]

Labor—See also pages 66 and 74 *supra*.

Labor—Bi-monthly wages

Act 150 requires employers who are engaged in manufacturing, mining, and other named businesses and who are required to pay wages at least twice monthly, to include all amounts due for work done up to not longer than ten days prior to payment, rather than seven days as fixed by prior law. [Amending R.S. 23:633]

Levee Districts—Natchitoches Levee District

Act 436 changes the name of the Natchitoches Levee District to the Natchitoches Levee and Drainage District. Other changes relate to the land area included in the district, the composition of the board of commissioners, and the assessment and levying of taxes. [Amending R.S. 38:1111-1120]

Levee Districts—Nineteenth Levee District—Majority of board of commissioners to constitute quorum

Act 349 provides that a majority of the members of the board of commissioners of the Nineteenth Louisiana Levee District shall constitute a quorum. [Amending R.S. 38:1154]

Levee Districts—Tensas Basin District

Act 527 adds 3600 acres on the west bank of the Ouachita River in Caldwell Parish to the territory covered by the Tensas River Levee district. [Amending R.S. 38:1441]

Licenses—Angler's license

Act 674 increases the age bracket for persons not required to purchase an angler's license from fifteen years to sixteen years or younger and deletes the requirement that such persons be state residents for two years. The act further provides that persons under sixteen need not pay non-commercial hunting license taxes whether residents or not. [Amending R.S. 56:332, 56:643]

Licenses—Drivers of motor vehicles

Act 165 makes many detailed changes in the provisions relating to licenses for drivers of motor vehicles. Among the provisions amended are those relating to chauffeurs' licenses, temporary drivers' licenses, servicemen's licenses, "learners' " licenses,

expenditure of funds received from licenses, and minimum fines for violation of the Driver's License Law. [Amending R.S. 32:402, 32:404, 32:408, 32:412, 32:414-415, 32:417-418, 32:422, 32:426-427]

Licenses—Hunting by nonresidents

Act 551 provides that the hunting license tax for nonresidents shall be the same as the tax charged Louisiana residents who purchase a hunting license in the home state of the nonresident. The act deletes the provision requiring that out of each resident hunting license tax, the Commissioner of Wild Life and Fisheries shall use 75 cents for enforcement of game laws and 25 cents for conservation of wild migratory birds. [Amending R.S. 56:104]

Licenses—License tax for pest control operators

Act 389 amends the license tax of \$5 per contract for pest control operators by defining "contract" as covering each unit or individual property treated for eradication or prevention of termites. [Amending R.S. 40:1272]

Licenses—License tax on professions

Act 681 authorizes mayors and aldermen of all cities, towns, and villages to levy a license tax on and to regulate all callings, trades, professions, and occupations conducted therein. Under prior law, there was authority merely to regulate and this authority was restricted to cities of over 1000 population and incorporated parish seats. [Amending R.S. 33:403]

Licenses—Segregation

Act 194 repeals an 1869 act which prohibited the refusal to admit or entertain anyone in a public inn, hotel, or place of public resort. The old act also required that all licenses issued to business places or places of public resort must be on condition that they be open to the patronage of all persons without discrimination as to race or color. [Repealing R.S. 4:3-4]

Livestock—Sanitary Board may make agreements with United States Department of Agriculture on disease control

Act 722 authorizes the Livestock Sanitary Board to enter into agreements with the United States Department of Agriculture for paying indemnities on livestock destroyed for disease-control purposes. [Amending R.S. 3:2094]

Livestock—Sanitary Board's per diem allowances

Act 689 makes changes in the per diem allowances paid members of the Louisiana Livestock Sanitary Board and authorizes the Commissioner of Agriculture and Immigration to hire a state veterinarian to serve as executive secretary of the board. The act also increases the penalties to be imposed for violation of the board's regulations. [Amending R.S. 3:2092, 3:2093, 3:2096]

Livestock—State penitentiary may buy or sell

Act 429 provides that beef cattle raised by the state penitentiary may be sold at public auction and that the proceeds shall be placed in the "Penitentiary Meat Fund." The act also authorizes the penitentiary to purchase, from this fund, livestock of commercial grades on condition that the public auction barn furnish a list of the sellers of cattle bought by the penitentiary. [Amending R.S. 51:692(10)]

Livestock—Swine not to roam at large

Act 130 prohibits owners from allowing swine to roam at large on any levee or other public place or to trespass on any enclosed premises or on any land on which long leaf pine trees are growing or have grown. The act also provides the authority and procedure for impounding swine found roaming in violation of the act. [Adding R.S. 3:2860]

Louisiana Day—Establishment

Act 44 designates April 30 of each year as "Louisiana Day"; it is not declared a legal holiday but civic and educational groups and local authorities are urged to sponsor programs to acquaint citizens of the state with its wealth, history, and romance and to stimulate pride. [Adding R.S. 49:158]

*Louisiana Practice—See page 38 supra**Mineral Rights—Advertising for lease of state lands*

Act 17 provides for a fund of \$10,000 to be deducted by the Register of the State Land Office from amounts collected from state mineral lease rentals or bonuses. This fund is to be used to pay expenses for advertising proposed leasing of state lands. [Amending R.S. 30:136]

Mineral Rights—Authority to grant permits for geophysical surveys transferred

Act 175 transfers exclusive authority for the granting of permits to conduct geophysical and geological surveys on state-owned lands and water bottoms from the Commissioner of Conservation to the State Mineral Board and designates the board as the sole agency for granting permits for surveys entailing the use of shot points in any public-owned lake, river, or stream bed. [Amending R.S. 30:212, 30:214]

Mineral Rights—Deposit for bidding on state leases

Act 671 amends the law relating to the deposit required in bidding for leases on state lands from the State Mineral Board by increasing the amount of the deposit required and by providing that this deposit shall be returned if the applicant bids for the lease. Previously, the deposit was to be returned only if the bidder failed to secure the lease. [Amending R.S. 30:125]

Mineral Rights—Hearings before Commissioner of Conservation

Act 174 authorizes the Commissioner of Conservation to designate an attorney, engineer, or geologist on his staff to conduct public hearings in his behalf. There was no clear provision authorizing this practice under prior law. [Amending R.S. 30:6]

Mineral Rights—Hearings before Commissioner of Conservation

Act 489 amends the provisions requiring hearings before the Commissioner of Conservation on matters relating to the creation, revision, or modification of oil or gas production units or for the adoption of any plan for spacing of wells or cycling of gas. The amendment requires that any application for such a hearing must be accompanied by two copies of maps of the units involved or two written explanations of the changes which are to be discussed at the hearing. One copy of the map or written explanation shall remain on file with the commissioner, and the other is open for public inspection in the office of the District Manager of the Conservation District in which the property is located. There is a period of at least thirty days between the time the application is submitted and the time of the actual hearing. [Amending R.S. 30:6]

Motor Vehicles—Creation of Louisiana Motor Vehicle Commission

Act 350 creates the Louisiana Motor Vehicle Commission and regulates its membership, powers, and duties. The act requires dealers, salesmen, manufacturers, distributors, and wholesalers to obtain annual licenses. The commission is authorized to deny, suspend, or revoke licenses for named causes; it also has power to subpoena witnesses for hearings. If appeals are taken from rulings of the commission, they are tried de novo in the district court. Penalties for violations of the act are specified. [Adding R.S. 32:1251-1258]

Motor Vehicles—Exemption from height limitation

Act 582 exempts motor vehicles used for transporting empty barrels and drums from the height limitation of twelve feet, six inches, if the gross weight of the loaded vehicle does not exceed 40,000 pounds and the height does not exceed thirteen feet, six inches. [Amending R.S. 32:274]

Motor Vehicles—Logging vehicles

Act 543 repeals the law prohibiting the operation of any vehicle used to transport logs on an improved public road unless the owner had obtained written permission from the police jury of the parish and furnished bond against any damage which might be done to the road by such operation. [Repealing R.S. 32:502]

Motor Vehicles—Parking fines

Act 461 changes the law prohibiting municipalities of less than 250,000 from imposing a fine of more than \$1.00 for parking violations. Under the new act, this prohibition applies only to cities of less than 100,000 population. [Amending R.S. 32:474]

Motor Vehicles—Speed in passing vehicle unloading children

Act 568 repeals the law prohibiting operators of motor vehicles from passing at a speed of more than fifteen miles per hour any other vehicle from which school children are being unloaded. [Repealing R.S. 32:481]

Motor Vehicles—Vehicle lights

Act 353 repeals all prior laws pertaining to motor vehicle lights and enacts new and detailed requirements as to intensity of the lights, multiple-beam indicators, the use of "dimmers,"

and other safety measures. [Repealing R.S. 32:301-311, and adding R.S. 32:301-305]

Motor Vehicles—Weight regulations for trucks

Act 414 provides that in issuing permits for operation of vehicles exceeding weight limitations, the factor of availability of other means of transportation should not be considered. The rates to be charged for overweight vehicles and the penalties specified for violation of the law are changed. [Amending R.S. 32:281-282]

Municipalities—Audit of books

Act 316 requires a yearly audit of books of municipalities with a population of over 2,499 and a biennial audit of books of municipalities of less than 2,500. This audit must be prepared by a certified public accountant or a registered public accountant and be filed with the municipal clerk within six months after the close of the fiscal year. [Adding R.S. 33:3031-3036]

Municipalities—Change in classification

Act 46 authorizes the use of a certified report of the United States Bureau of the Census for the purpose of classifying a municipality. Under prior law, a special census was required as the basis of a change. This act requires as an additional step that the governing body of a municipality adopt an ordinance in accordance with the proclamation issued by the Governor correcting the classification. [Amending R.S. 33:342]

Municipalities—Change in definition of public roads

Act 639 changes the definition of "public roads" to include streets within municipalities made by individuals on the front of their respective tracts of land when the lands have their front on any of the rivers or bayous of the state. [Amending R.S. 48:491]

Municipalities—Fire districts

Act 498, referring to Sub-part A of Part II of Chapter I of Title 33 of the Revised Statutes, establishes "in all cities covered by this Sub-part" fire districts within the fire department, which include not more than four fire companies and which are under the direction and command of an assistant or district fire chief who is to be under the supervision of the chief of the fire department. This chapter does not treat fire districts or departments.

It is submitted that this act should have been incorporated into Chapter 4, entitled Fire and Police Departments. [Adding R.S. 33:34]

Municipalities—Municipal prisoners in parish jail to work on municipal projects

Act 535 authorizes mayors and aldermen who contract with the police jury for use of the parish jail by the municipality to include a provision for municipal prisoners to work on all municipal projects. [Amending R.S. 33:401]

Municipalities—Street Improvements—Tax levies

Act 610 authorizes municipalities which adopt ordinances directing street improvements and levy assessments to defray the costs to provide that the first installment shall become due on either June 30 or December 31 of the year of the assessment. Previously, the first installment was due on December 31. [Adding R.S. 33:3306]

Municipalities—Transit systems exempt from highway regulations

Act 12 exempts from size and weight limitations on vehicles operated on state highways, motor buses operated under a franchise or indeterminate permit wholly within the corporate limits of a municipality of over 100,000 population. The prior exemption as to all trolley coaches is restricted to apply only to trolley coaches operated within the corporate limits of a municipality of over 100,000 population. [Amending R.S. 32:272]

Museums—Louisiana State Museum at New Orleans

Act 300 changes the composition of the board of curators of the Louisiana State Museum at New Orleans, as well as the terms which the members are to serve. The act requires the museum to be open at least six days a week instead of "at all times," and authorizes the charging of admission fees. Further, it requires the legislature to provide funds for the operation of the museum and permits the board of curators, instead of the state, to authorize loans of the museum's collection. [Amending R.S. 25:341-347]

Navigation—Abbeville Harbor and Terminal District

Act 253 creates the Abbeville Harbor and Terminal District and establishes a board to govern the district. The board is empowered to regulate commerce and traffic in the district, to own

and operate wharves and warehouses, to levy an ad valorem tax, and to issue bonds. [Adding R.S. 34:333.1-333.12]

Navigation—Plaquemines Port Authority

Act 567 creates the Plaquemines Port Authority and specifies its geographic limits. It designates the parish police jury as the governing body of the port authority and authorizes it to employ personnel, regulate commerce and traffic in the port, acquire property and facilities for development of the port, levy an ad valorem tax, and issue bonds. [Adding R.S. 34:1351-1359]

Navigation—River port pilots

Act 525 changes the membership of the Board of River Port Pilot Commissioners and Examiners and authorizes this board to receive reports and investigate charges of incompetency or misconduct by pilots. Under prior law, the Governor had to order an investigation before any action could be taken. The act also repeals the requirement of one year's experience for appointment as a pilot. [Amending R.S. 34:1072-1073, 34:1075, 34:1077]

Notaries Public—Acts affecting immovables in Orleans executed by notaries outside Orleans

Act 585 requires the Registrar of Conveyances and the Recorder of Mortgages for Orleans Parish to make available to the Custodian of Notarial Records of Orleans Parish the acts of notaries outside Orleans which affect immovable property in Orleans. [Adding R.S. 35:338]

Notaries Public—Acts shall include mailing addresses of parties

Act 430 imposes a new requirement on notaries public. Each act passed by a notary must include not only the full names of the parties (typed or printed), but also their permanent mailing addresses. [Amending R.S. 35:12]

Notaries Public—Maximum allowable for Orleans

Act 482 increases the maximum number of notaries public to be appointed by the Governor for Orleans Parish from 1100 to 1200. [Amending R.S. 35:251-252]

Official Journal—Laws, resolutions, notices and advertising of legislature to be published

Act 127 requires that all laws and resolutions, as well as notices and advertising of the legislature and all notices by state

departments, be published in an "Official Journal of the State." This newspaper is to be a Baton Rouge newspaper with a circulation of at least 10,000, which has second class mailing privileges, and which has been published at least six days a week for at least two years. Specifications for contracting by bids are enumerated. [Adding R.S. 43:81-90]

Parishes—Cost of furniture and supplies prorated

Act 702 provides that the cost of furniture, equipment, supplies, and maps needed by the sheriff, tax collector and assessors of each parish shall be borne proportionately by all tax recipient bodies in the parish in the proportion that taxes received by such bodies bear to the total taxes received. [Amending R.S. 33:4713]

Parishes—Cost of survey and mosaic map

Act 643 provides that the cost of the survey and mosaic map of the parish is to be paid by all tax recipient bodies in the parish in the proportion that each shares in tax monies collected and allotted from ad valorem taxes collected. These bodies and the governing authority may either appropriate money, pledge revenues, or issue obligations to meet their share of the obligation. Prior law required this cost to be paid by the governing body of the parish. [Amending R.S. 50:226]

Parishes—Maximum expenses for paupers' funerals

Act 597 increases the amount authorized to be expended by the parish for funeral and burial expenses of paupers from \$15 to \$100. [Amending R.S. 46:572]

Parishes—Officers—Sub-offices

Act 131 authorizes sheriffs, ex officio tax collectors, tax assessors, and clerks of court to open sub-offices whenever these officials think them necessary. No limitation on the number of such offices is imposed, but clerks of court may open sub-offices only for the purpose of absentee voting. [Adding R.S. 33:1461]

Parishes—Saturday may be holiday

Act 593 provides that the whole of Saturday may be a holiday if so declared by the parish governing authorities, even though it may be preceded by a holiday. This was expressly forbidden by prior law. [Amending R.S. 1:55]

Parishes and Municipalities—Additional method of securing funds for building purposes

Act 92 authorizes levying of special taxes by the governing authority of parishes or municipalities as a third method of securing funds for building purposes. Prior to this amendment, parishes and municipalities were required to anticipate revenues or issue bonds before taxes could be levied. [Amending R.S. 25:213]

Parishes and Municipalities—Intergovernmental functions

Act 665 broadens the provisions relating to the cooperative undertaking of intergovernmental functions by permitting all political subdivisions, instead of only cities, towns, and villages, to enter into agreements and form commissions to conduct public works and services. Such commissions are authorized to issue bonds and carry on additional activities not specifically enumerated in prior law. [Amending R.S. 33:1321, 33:1324, 33:1331-1332]

Paving Assessments—Period for taking advantage of deferred payment privilege

Acts 601 through 607 and 649 through 661 all contain the same provisions but apply to different classifications of municipalities. The acts increase the period within which property owners may take advantage of the deferred payment privilege in paying paving assessments from ten days to thirty days after the passage of the municipal ordinance making the assessment. [Act 601 amending R.S. 33:3336; Act 602 amending R.S. 33:3357; Act 603 amending R.S. 33:3359; Act 604 amending R.S. 33:3387; Act 605 amending R.S. 33:3388; Act 606 amending R.S. 33:3389; Act 607 amending R.S. 33:3687; Act 649 amending R.S. 33:3334; Act 650 amending R.S. 33:3335; Act 651 amending R.S. 33:3358; Act 652 amending R.S. 33:3403; Act 653 amending R.S. 33:3404; Act 654 amending R.S. 33:3424; Act 655 amending R.S. 33:3425; Act 656 amending R.S. 33:3426; Act 657 amending R.S. 33:3356; Act 658 amending R.S. 33:3557; Act 659 amending R.S. 33:3558; Act 660 amending R.S. 33:3624; Act 661 amending R.S. 33:3688]

Paving Assessments—Prescription of liens and privileges

Act 204 changes the prescriptive period on municipal claims, liens, and privileges for paving streets, alleys and sidewalks from ten years from the date of the certificate of such claims to three years after the due date of the final installment on the assess-

ment. The act also extends the coverage of this provision to include levies for special assessments by parishes, sewerage districts, and other special taxing districts. [Amending R.S. 33:3746]

Petroleum Products—Reclaimed lubricating oils

Act 499 requires all containers holding reclaimed motor or lubricating oils to be labeled as such before being offered for sale. Punishments for violations are specified. [Repealing R.S. 51:902-903, and adding R.S. 51:901]

Police Juries—Governing body of East Baton Rouge may regulate buildings

Act 700 authorizes the governing body of East Baton Rouge Parish to regulate the construction, maintenance, plumbing, and electrical wiring of buildings outside the incorporated municipalities of the parish. [Amending R.S. 33:1236]

Police Juries—Junk disposal in subdivisions

Act 699 authorizes police juries to adopt ordinances regulating or prohibiting the placing of junk on any vacant lot, neutral ground, or sidewalk within recognized subdivisions of the parish. [Amending R.S. 33:1236]

Police Juries—Liability for failure to perform ministerial acts

Act 574 relieves individual members of police juries from any liability for failure to perform ministerial duties which are delegated to them by the police jury as a whole. The members are, however, not relieved of liability for their own negligence. [Amending R.S. 33:1226]

Police Juries—Recreation districts

Act 542 authorizes police juries to join with other police juries in creating recreation districts, to be governed by boards of commissioners. It provides that these districts may not extend into a municipality without its consent. This is the enabling act for the constitutional amendment proposed by Act 740, discussed page 97 *supra*. [Adding R.S. 33:4562-4569]

Police Juries—Repair of streets inside municipalities of less than 5,000

Act 496 authorizes police juries to perform all or any part of the repair and care of roads, streets, bridges and culverts

situated within municipalities of less than 5,000 population. [Amending R.S. 33:1236]

Police Juries—Traffic in subdivisions

Act 342 authorizes police juries to regulate traffic and parking on public roads lying outside incorporated municipalities but within recognized subdivisions. [Amending R.S. 33:1236]

Procedure—See page 38 supra.

Professions and Occupations—Certificates from State Board of Medical Examiners

Act 693 changes the fee for renewal of certificates issued by the State Board of Medical Examiners from \$5 for all types of certificates to \$2 for internes' or residents' certificates and \$10 for all others. [Amending R.S. 37:1281]

Professions and Occupations—Practical nurses

Act 315 authorizes the State Board of Practical Nurse Examiners to appoint an attorney to represent it, to fix his compensation, and to define his duties. The act deletes the requirement of one year's hospital experience as an educational qualification for becoming a practical nurse. It also increases the annual certificate fee. This law now includes auxiliary workers supervised by a registered nurse under the supervision of a licensed physician. Christian Science healers are added to the exemptions. [Amending R.S. 37:969-970, 37:977, 37:979]

Professions and Occupations — State Board of Examiners for Sanitarians

Act 371 creates the Louisiana State Board of Examiners for Sanitarians and provides for its membership and organization. It enumerates the duties and powers of the board and sets certain standards which must be met by applicants for licenses. The act prohibits state and local political subdivisions from employing unlicensed sanitarians. [Adding R.S. 37:2101-2116]

Public Contracts—Bid bond

Act 257 provides that cashiers' checks or bid bonds may be attached to bids on public contracts. Prior law required certified checks. [Amending R.S. 38:2214]

Public Contracts—Publishing of advertisement for bids

Act 104 removes the requirement that advertisements for bids on public contracts be published in a daily newspaper.

Publication once a week for three weeks is sufficient; if in a daily paper, there must be three publications within a ten day period. Apparently, since Act 104 has no enacting clause, Act 589 was passed to correct that omission. [Amending R.S. 38:2211].

Public Contracts—Purchases without bids

Act 528 authorizes state budget units to make purchases of certain items without calling for bids. Some such items are surplus materials and equipment offered for sale by the federal government if prices paid are less than those offered by regular suppliers, dairy cattle and registered breeding stock after approval by Commissioner of Agriculture, and livestock purchased for slaughter at public auctions, if the state agency is furnished a list of all sellers of cattle bought. [Amending R.S. 39:175]

Public Contracts—Time of withholding price after acceptance

Act 583 forbids execution of public works construction or repair contracts which provide that the letting agency may withhold more than 10% of the contract price for more than 45 days after recordation of the formal acceptance of the work or notice of default by the contractor. [Adding R.S. 38:2241.1]

Public Health—Rabies control

Act 663, the Rabies Control Act, prescribes regulations relating to the inoculation of dogs, sets specific times for such inoculations, and requires dog owners to report all dog bites when the dog is infected with rabies. The act gives local health authorities power to enforce its provisions by compelling inoculations, confining dogs found running at large, and shipping heads of dogs which die of rabies to state board laboratories. [Adding R.S. 40:1275-1289]

Public Health—Vital statistics—Birth certificates for foreign-born children

Act 579 authorizes the State Board of Health to issue letters to serve in lieu of birth certificates for children born in foreign countries who have been legally adopted by Louisiana residents. [Adding R.S. 40:209 (C)]

Public Lands—Lease by political subdivision

Acts 571 and 712 enacted similar provisions, which authorize any political subdivision of the state to lease to any other political subdivision any public lands or improvements to which it has

title, custody, and possession. The lease may be for as long as 99 years. This is the enabling act for the constitutional amendment proposed by Act 755, discussed page 98 *supra*. [Adding R.S. 41:1291-1294]

Public Records—Destruction of duplicates

Act 473 provides that copies of public records may be destroyed if the original is on file. If only duplicate copies exist, the act permits destruction of all but one. Prior law made no provision for destroying copies or duplicates. [Amending R.S. 44:36]

Public Records—Recording of certified copies

Act 177 provides that the recording of certified copies of authentic acts, acts under private signature, judgments, and other instruments affecting immovables located in more than one parish shall have the same force and effect as the recording of originals. [Adding R.S. 44:138]

Public Utilities—Airports included within term "revenue producing public utility"

Act 570 amends the Public Utilities Law to include airports within the definition of the term "revenue producing public utility" for purposes of municipal ownership, operation and financing. [Amending R.S. 33:4161]

Public Utilities—Appointment of waterworks commissioners

Act 210 supplements prior law relating to the appointment of waterworks commissioners in accordance with the recommendations contained in the petition creating the district. It provides that if no recommendations are contained in the petition, three of the five commissioners shall be appointed by the police jury for the parish in which the district is located, and the remaining two shall be appointed by the Governor. The act also requires that such appointments, as well as appointments to fill subsequent vacancies, shall be made by the police juries at the first meeting following the ratification of the petitions, and by the Governor within twenty days after ratification. [Amending R.S. 33:3813]

Public Utilities—Assessment of cost of public utility rate investigations

Act 376 modifies the mandatory requirement that all costs of investigations of public utilities for the purpose of fixing or

changing rates be assessed against the utility company, and permits the public utility commission to make this assessment at its discretion. [Amending R.S. 45:1180]

Public Utilities—Cities authorized to grant indeterminate permits for use of their streets by waterworks systems

Act 454 authorizes cities to grant indeterminate permits for the use of their streets and other public property for the operation and maintenance of waterworks systems, on condition that the cities retain a perpetual option to purchase the waterworks systems. [Adding R.S. 33:4503]

Public Utilities—Mortgages executed by public utility corporations

Act 52 clarifies the law governing mortgages executed by public utility corporations by consolidating two overlapping amendments adopted in 1952 and deleting the phrase "operated for profit" in describing the corporations subject to the act. [Amending R.S. 12:601-602]

Public Utilities—Meeting places of waterworks boards of commissioners

Act 90 requires boards of waterworks commissioners to designate regular meeting places within the district or at the parish seat of the parish within which the waterworks district is located. [Amending R.S. 33:3819]

Public Welfare—Admission to state institutions of children in necessitous circumstances

Act 474 consolidates the provisions of two separate acts adopted in 1952 (Acts 67 and 387) concerning assistance to children in necessitous circumstances and adds a new provision authorizing assistance to such children placed in institutions by relatives either within the state, or without the state if no sufficient institution is operated by this state for the care of the child. [Amending R.S. 46:233]

Public Welfare—Eligibility in cases involving the needy blind

Act 418 directs the Department of Public Welfare to apply the same standards and rules with respect to property and assets held by applicants in cases involving the needy blind as it previously applied in cases of applicants for old age assistance. [Amending R.S. 46:292]

Public Welfare—Membership and method of appointment of Orleans Board of Welfare

Act 621 increases the size of the Orleans Board of Welfare from seven to nine members and provides that they shall be selected by the mayor with the approval of the council. Under prior law, the members were selected by the governing authority of the parish from a list of names submitted by the state department. [Amending R.S. 46:58]

Public Welfare—Minimum need for persons over sixty-five

Act 698 provides that the minimum need for any person entitled to old age assistance is to be \$85 and for a couple, living in the same household, \$134. The corresponding amounts before the act were \$50 and \$90. [Amending R.S. 46:152(A)]

Railroads—Locomotives to be equipped with bell, whistle or horn

Act 395 requires railroad companies and all persons owning and operating railroads to equip all locomotives with a bell and whistle or horn capable of being heard at a distance of 300 yards under normal conditions, which must be sounded at crossings in the manner provided by the Uniform Code of Railroad Operating Rules. Prior law required a 30 pound bell and steam whistle, one of which was to be sounded continuously from a distance of 300 yards from a crossing until the crossing was reached. [Amending R.S. 45:561]

Registrar of Voters—Prohibition against holding other public office

Act 541 removes the prohibition against a registrar of voters becoming a candidate for or being appointed to any public office or employment within twelve months after he has ceased to be registrar. It also removes the prohibition against engaging in any other employment for profit with the state, parish or municipality during incumbency. The prohibition against holding another elective or appointive office simultaneously with the office of registrar of voters is continued. [Amending R.S. 18:9]

Retirement Systems—Clerks

Act 40 authorizes any unmarried person who has been a member of the clerks' retirement and relief fund for more than a year and dies while a member, but before becoming eligible

for retirement, and leaves no minor children or parents eligible for benefits, to designate a beneficiary to be paid 80% of such person's contributions to the fund, payment to be in a lump sum or at the discretion of the board of trustees. [Adding R.S. 13:936 (F)]

Retirement Systems—Clerks

Act 91 extends the provisions of the clerks of court retirement and relief fund to include clerks, deputies, stenographers, and reporters of the criminal and civil courts of Orleans Parish. Present employees may elect to be included, but membership is compulsory for future employees. [Amending R.S. 13:931, 13:933]

Retirement Systems—Discharge from liability upon payment of benefits

Act 367 discharges from liability to adverse claimants, any employer, trustee or insurance company who makes payment or refund to any beneficiary of a written retirement, death or other employee benefit or savings plan, unless they receive written notice from such adverse claimant prior to making such payments. [Adding R.S. 23:638]

Retirement Systems—Firemen

Act 212 changes the provisions governing the retirement of firemen in the City of New Orleans (upon the completion of 20 years of service) by making retirement mandatory at age 70 until January 1, 1957, when the age is lowered to 65. The act also makes provision for the emergency retention of superannuated firemen and makes changes in the schedule of benefit and pension payments. [Amending R.S. 33:2114 (A), and adding R.S. 33:2117 (C)]

Retirement Systems—Judges

Act 697 provides for the payment to the spouse of a retired judge of a court of record upon his death of one-half of the pension or retirement pay previously paid him so long as such spouse remains alive and unmarried, provided, however, that such spouse must have been married to and living with the said judge at least five years prior to his death. [Adding R.S. 13:5]

Retirement Systems—Lunch program employees

Act 662 changes the name of the system from Louisiana State Cafeteria Employees Retirement System to Louisiana State

School Lunch Employees Retirement System, enlarges the coverage of the system to include parish and city school board employees, and makes changes in qualifications for eligibility, employee contributions, and benefits. [Amending R.S. 17:1231, 17:1241, 17:1243, 17:1264, 17:1281, 17:1292-1293, 17:1302-1303]

Retirement Systems—Municipal employees

Act 246 requires cities of less than 50,000 population (in the class from 10,000 to 250,000) to make annual appropriations from their general alimony taxes to make up deficiencies in the operation of their pension and relief funds for their police departments. Such deficiencies will result when the ordinary contributions to the fund, consisting of 25% of the funds collected by the municipal courts for violation of municipal ordinances plus 20% of the funds collected for license, privilege taxes and liquor permits, does not meet the operational needs of the fund. [Amending R.S. 33:2222]

Retirement Systems—Municipal employees

Act 356 establishes a comprehensive municipal employees' retirement system which is to function on a state-wide basis and to be administered by a six man board of trustees. The act provides standards of eligibility for membership, sets forth a table of pension and disability benefits, authorizes reciprocity of service credits with other retirement systems, and directs the investments of system funds. [Adding R.S. 33:7151-7163]

Retirement Systems—Municipal employees

Act 379 permits employees covered by Federal Social Security to continue to benefit under pension and retirement systems established under R.S. 33:1761, applicable to cities over 90,000 population, and R.S. 33:1762, applicable to cities between 20,000 and 90,000 population. [Amending R.S. 33:1763]

Retirement Systems—Municipal employees

Act 511 authorizes municipalities of over 10,000 population to establish by ordinance pension plans for their officials and employees 60 years of age or over who have been employed at least 24 years, not to exceed one-half the amount of their salary at the time of retirement or the sum of \$150 monthly. Employees covered by other pension plans or Federal Social Security are entitled to the difference between the receipts therefrom and that authorized under the municipal plan. Such

pensions are to be paid irrespective of any other income or earnings of the employee subsequent to retirement. [Adding R.S. 33:1781-1786]

Retirement Systems—Parochial employees

Act 203 amends the disability retirement provisions of the parochial employees' retirement system by adding \$1200 to the employer's annuity portion of the disability benefit to be received by employees under 60 years of age. [Amending R.S. 33:6174]

Retirement Systems—Parochial employees

Act 508 renders coroners and their assistants eligible for membership in the parochial employees' retirement system and renders them ineligible for membership in other systems. [Amending R.S. 33:6131-6135, and adding R.S. 33:6137]

Retirement Systems—Parochial employees

Act 708 permits state employment service to be credited to the parochial retirement system under prescribed conditions. [Amending R.S. 33:6151]

Retirement Systems—Policemen

Act 213 compels the mandatory retirement (after 20 years of service) of police officers in New Orleans upon attaining the age of 70 years until August 1, 1956, and at 65 thereafter. The act also provides for the emergency retention of superannuated police officers and makes changes in the schedule of benefits and pension payments. [Amending R.S. 33:2294-2295]

Retirement Systems—Policemen

Act 245 permits retirement of members of police departments in cities of between 10,000 and 250,000 population when they have performed 25 years of service, deleting the requirement of prior law that such years of service must be consecutively served. [Amending R.S. 33:2234]

Retirement Systems—Policemen

Act 247 requires cities of 15,000 or less (in the class of cities between 10,000 and 250,000) to retain \$7500 as a permanent fund in their police pension and relief funds and forbids payment of any pensions unless there is at least \$8500 in the fund. Under prior law such cities were governed by the provisions applicable

to cities of 50,000 or less which stipulate corresponding amounts of \$15,000 and \$16,500. [Amending R.S. 33:2228]

Retirement Systems—Policemen

Act 248 declares that the age limits of 21 to 35 for appointment to police departments in order to qualify for pension and relief fund benefits in cities of 10,000 to 250,000 shall apply to first appointments, thereby permitting re-employment after age 35. [Amending R.S. 33:2240]

Retirement Systems—Policemen

Act 416, amending the same section of the Revised Statutes as Act 245, permits retirement of similarly situated police officers when they have served 18 consecutive years and attained the age of 65, or after 25 years of service, which need not be consecutive, regardless of age. [Amending R.S. 33:2234]

Retirement Systems—Policemen

Act 460 increases the assessment which may be charged members of the police department in cities of more than 50,000 (in the class of cities between 7,500 and 250,000) from 2% to 3% of their salaries. The act also doubles the benefits paid to survivors of police who die in active service or while on pension. [Amending R.S. 33:2225, 33:2236]

Retirement Systems—Registrars of voters and employees

Act 215 establishes the registrar of voters employees' retirement system to be managed by a board of trustees for the benefit of registrars of voters, their deputies and employees. The act provides for membership in the system, authorizes the board of trustees to adopt rules and regulations concerning creditable service, sets forth benefits allowed to members and provides for a medical board. [Adding R.S. 18:1651-1662]

Retirement Systems—Sheriffs

Act 239 changes the terms relating to tenure of the executive counsel of the board of trustees of the sheriffs' pension and relief fund, alters the method of selecting members of the executive committee of the Louisiana Sheriffs' Association who serve on the board of trustees, makes numerous changes regarding eligibility for participation in the benefits of the pension and relief fund, makes changes in the schedule of benefit payments and authorizes the board of trustees to expend additional funds in

the performance of their official duties. [Amending R.S. 33:1452-1454, 33:1456-1457, and adding R.S. 33:1458-1460]

Retirement Systems—State employees

Act 113 waives the four-year period for contribution to the state employees' retirement system (by a person who is re-employed after having received a refund of such contributions) as a condition of receiving credit for prior service, if the employee was a member on December 31, 1953, and has been a contributor for two years. [Amending R.S. 42:633]

Retirement Systems—State employees

Act 365 changes the provisions relating to the credit that may be allowed under the state employees' retirement system for military service by extending the date for re-employment to June 30, 1955, provided the employee is re-employed within 90 days of his discharge and pays a sum equivalent to his contributions for the period of his military service within one year. Only five years of military service are creditable. [Amending R.S. 42:575]

Retirement Systems—State employees

Act 417 and Act 504 make provision for crediting prior service to the service cumulated for eligibility for retirement under the state employees' retirement system; the former dealing with service performed during the period between July 1, 1947, and June 30, 1954, and the latter applying to service prior to July 1, 1947. [Act 417 adding R.S. 42:571.1; Act 504 amending R.S. 42:571]

Retirement Systems—State employees

Act 465 permits members of the New Orleans Employees' Retirement System who are employees of New Orleans Hospital for Mental Diseases to transfer, at their option, to the state retirement system if they obtain employment with a state agency. [Adding R.S. 42:556.1]

Retirement Systems—State employees

Act 587 amends the terms "average compensation" and "earned compensation" in the state employees' retirement act to include the expense allowance paid to members and employees of the legislature. [Amending R.S. 42:543]

Retirement Systems—Teachers

Act 145 provides for prior service credit by authorizing the board of trustees of the state teachers retirement system to arrange for reciprocity of credit for prior service with other state, parish or city retirement systems in the state. This act also increases the monthly contributions of certain school bus operators who are members and changes the method of computing the service charge in the case of refunds for persons withdrawing from membership or dying prior to reaching retirement age. [Amending R.S. 17:917, 17:982, and adding R.S. 17:905]

Retirement Systems—Teachers

Act 171 increases the number of teachers eligible to receive old age assistance if they have not become eligible for retirement benefits under the state teachers retirement system, and repeals the limitation on the amount of such assistance. [Amending R.S. 17:742, 17:744]

Retirement Systems—Teachers

Act 3 and Act 703 allow prior service credit to be cumulated in teachers' records for eligibility for retirement under the state teachers retirement system. [Act 3 adding R.S. 17:600; Act 703 amending R.S. 17:891]

Retirement Systems—Teachers

Act 721 permits a person who has been a participating member of the Orleans Parish Teachers Retirement System and has withdrawn his contribution to the system to repay these contributions with interest and resume his membership. [Amending R.S. 17:858]

Service of Process—Agent for service of process upon foreign corporations

Act 25 permits a foreign corporation to designate as its agent for the service of process any resident of the state or corporation authorized to do business in the state provided the latter has filed a certificate with the Secretary of State naming two individuals at its principal place of business within the state who are authorized to receive service of process. [Amending R.S. 12:202]

Service of Process—Fee payable to Secretary of State

Act 58 provides for the payment of a fee of \$2.00 to the Secretary of State for the service of process on him whenever such

service is required by law for the commencement of an action. The fee is recoverable as taxable costs if the person requesting the service of process prevails in the action. [Adding R.S. 49:225]

Sewerage and Water Boards—Establishment of districts

Act 622 reduces from 60% to 51% the number of resident property owners required to petition the governing authority for power to establish sewerage and water districts or to connect existing systems within or outside the district. [Amending R.S. 33:3981]

Sewerage and Water Boards—New Orleans board

Act 361 changes the composition of the Sewerage and Water Board of New Orleans to include two at-large members of the city council and one of the district councilmen selected by the council in lieu of public finance, public utilities and public property commissioners. The act also provides that board members may be removed only in the manner and for the causes enumerated in Article XI of the State Constitution, rather than by the mayor as formerly provided. [Amending R.S. 33:4071-4072]

Sewerage Districts—Meeting places of board

Act 329 requires boards of supervisors of sewerage districts outside of municipalities to designate regular meeting places within the district, or to designate the parish seat as the meeting place. [Amending R.S. 33:3887]

Sheriffs—Payments from sheriffs' salary funds

Act 154 authorizes sheriffs to pay from their salary funds expenses incurred in connection with bonds for all deputies, uniforms for deputies, membership dues in sheriff associations, and youth programs. [Amending R.S. 33:1422]

Sheriffs—Tax collectors' commissions

Act 151 increases the percentage of tax collections which the sheriffs, as tax collectors, may deduct as commissions for the parishes of Bienville, East Feliciana, Iberville, Jackson, St. Bernard, Vernon and Winn. [Amending R.S. 33:1423]

State Agencies—Commission of Federal Grants

Act 117 creates a five-member Commission of Federal Grants and requires all state departments and agencies receiving federal grants in aid to notify the commission of programs affecting local

communities or related to local problems and situations. It prohibits the expenditure of funds from federal grants on local projects until the commission has had an opportunity to be heard. [Adding R.S. 49:651-655]

State Agencies—Commission on Alcoholism

Act 475 increases the membership of the Louisiana Commission on Alcoholism from seven to nine members, makes other administrative changes in the commission, and directs it to continue to study the problems of alcoholism, to carry on a program of public education and rehabilitation of alcoholics and to establish cooperative relationships with all public and private groups working on the problem. [Amending R.S. 28:621-624, and adding R.S. 28:625-626]

State Agencies—Exemption from calling for bids for certain classes of insurance

Act 306 exempts from the procedures regulating the advertising and calling for bids on services and supplies requested by state agencies those types and classes of insurance and bonds which are under the mandatory jurisdiction of the insurance rating commission for rates, premium charges and policy form. [Amending R.S. 39:174]

State Agencies—Housing

Act 37 requires the Division of Administration to handle all renting, purchasing or construction of buildings to be used by state agencies and requires the commissioner to use state-owned buildings and to consolidate state agencies under one roof insofar as possible. [Amending R.S. 39:4]

State Finances—Submission of statement of financial condition

Act 529 shifts the responsibility for submission to the legislature of the statement of financial condition of the state from the Commissioner of Administration to the Director of the Budget, and specifically repeals the requirement that the State Auditor submit a report to the legislature concerning the financial condition of the state. [Amending R.S. 39:59]

State Institutions—Advisory Nursing Home Council

Act 580 enlarges the Advisory Nursing Home Council from nine to eleven members, excludes institutions operated by Christian Scientists from the coverage of the nursing home act, and

makes other administrative changes in the work of the council. [Amending R.S. 40:20, 40:28]

State Institutions—Evaluation center for exceptional children

Act 479 removes the evaluation center for exceptional children from the supervision of the State Board of Health and places it under the supervision of the Board of Institutions, and makes numerous administrative changes in its functions. [Repealing R.S. 40:88-91, and adding R.S. 46:1301-1304]

State Institutions—Institutions for mentally retarded children

Act 82 requires the Department of Institutions to inspect and license institutions which care for or train mentally retarded children. The act also directs the department to promulgate rules and regulations for the examination of applicants, and provides for revocation of licenses for non-complying institutions. [Adding R.S. 28:562-566]

Submerged Lands—See page 79 supra.

Successions—Unclaimed funds of deceased patients of state mental institutions

Act 427 provides that after the payment of funeral expenses, the remainder of accrued personal funds held by state mental institutions at the time of death of a patient shall be expended by the institution for recreational purposes if the funds are not claimed by the heirs of the patient within five years from the date of death. [Adding R.S. 28:172-173]

Taxation—See page 86 supra.

Trade Marks—Protection of trade marks and trade names

Act 235 repeals the prior law on the subject and enacts a new and comprehensive statute providing substantially similar protection to the owners of trade marks and trade names. Various administrative changes involving the Secretary of State are included and registration fees are increased. [Repealing R.S. 51:211-218 and adding R.S. 51:211-223]

Unemployment Compensation—Administrative changes

Act 503 requires that the administrator furnish employers with a quarterly statement of unemployment compensation benefits paid to their employees which will be charged against the employer's experience rating. Under the prior law such a state-

ment was furnished annually. The act also requires that the three-man board of review selected by the Governor be representative of labor, management and public interests. [Amending R.S. 23:1535, 23:1541, 23:1652]

Unemployment Compensation—Disqualification provisions

Act 704 renders the disqualification for benefits provision of the Unemployment Compensation Act for voluntarily leaving employment or for misconduct causing damage to an employer, and the receipt of pension or retirement pay applicable to any employment during the one-year base period, rather than to the last employment as previously provided. [Amending R.S. 23:1601]

Urban Redevelopment Corporations—Condemnation procedure

Act 216 provides a new and exclusive condemnation procedure to be used by urban redevelopment corporations. Among the provisions is a requirement that at least 50% of persons within the area to be redeveloped be in favor of the action. Before the act, redevelopment corporations were authorized to expropriate "in the manner provided in the Civil Code" or "by any other statutory provision for eminent domain." [Amending R.S. 12:267]

Urban Redevelopment Corporations—Repeal of act authorizing creation

Act 634 repeals Act 393 of 1948, which authorized the creation of urban development corporations. [Repealing R.S. 12:251-275]

Vehicle Certificate of Title Law—Dealers' licenses

Act 227 amends the Vehicle Certificate of Title Law to add requirements for obtaining licenses authorizing the sale of new vehicles. In submitting the application, the dealer must specify the make of vehicle to be sold and must attach an affidavit that he holds a bona fide written contract with the manufacturer or distributor of such make authorizing him to sell at retail. The act also provides three additional grounds upon which the commissioner of revenue may refuse to issue a license or may revoke one already issued. [Amending R.S. 32:718-719]

Vehicle Certificate of Title Law—Good faith purchaser of mortgaged vehicle

Act 480 amends the Vehicle Certificate of Title Law to pro-

tect a purchaser who in good faith buys a mortgaged vehicle from a licensed dealer. The act provides that when the holder of the chattel mortgage consents to the vehicle being placed on sale by a licensed dealer, he shall be deemed to have impliedly consented to the sale free and clear of such mortgage regardless of provision to the contrary in the mortgage itself. The amendment also specifies who shall be considered a licensed dealer and who shall be considered a good faith purchaser. [Amending R.S. 32:710]

Vehicle Certificate of Title Law—Marketable title

Act 228 amends the Vehicle Certificate of Title Law to provide that the owner of a vehicle may proceed to negotiate a note and chattel mortgage on a motor vehicle even though he has not yet received the certificate of title from the Commissioner of Revenue. Technically, under the terms of the section amended by this act, there is no marketable title until the owner receives the certificate; the act prevents the delay which could be caused. The amendment declares that "the actual intention and effect of this law being that such chattel mortgages shall be complete and effective as to all persons from the date of notation of same by the commissioner on the face of the certificate of title. . . ." [Amending R.S. 32:706]

Wildlife and Fisheries—Administrative changes

Act 581 imposes the additional duty upon the Commissioner of Wild Life and Fisheries of preparing a complete map by December 31, 1954, showing all leases of water bottoms and natural reefs in state waters. [Adding R.S. 56:6 (20)]

Wildlife and Fisheries—Administrative changes

Act 668 deletes the requirement that the surveyor of the Louisiana Wild Life and Fisheries Commission be a "civil engineer and a person well informed in oyster culture." [Amending R.S. 56:446]

Wildlife and Fisheries—Commercial fishing licenses

Act 545 provides a new penalty of revocation of commercial license for one year for taking fish by means of artificially or electrically controlled or operated devices, mechanically or manually operated, with or without explosives. [Amending R.S. 56:366]

Wildlife and Fisheries—Hunting and fishing

Acts 169 and 608 make changes in the permissible length and size of mesh in seines and nets used in fishing, and Act 251 forbids the use of trawls more than 40 feet in length in Vermilion, East Cote Blanche or West Cote Blanche Bays. [Act 169 amending R.S. 56:364; Act 608 amending R.S. 56:326; Act 251 adding R.S. 56:499.1]

Wildlife and Fisheries—Hunting and fishing

Act 183 permits members of commercial fishing parties to catch not more than twenty-five catfish under 14 inches in length for personal home consumption, and Act 348 changes the catch and possession limit for shrimp fishermen for use as bait during the closed season from not more than 105 pounds or half a barrel in the aggregate at any time to not over 5 pounds per person per day or 50 pounds in the aggregate at any time to each boat irrespective of the number of persons thereon. [Act 183 amending R.S. 56:363; Act 348 amending R.S. 56:497]

Wildlife and Fisheries—Hunting and fishing

The open season on alligators is partially extended in certain parishes by Acts 217 and 218; the latter act also removes the chipmunk from the definition of wild game quadrupeds. Act 219 includes alligators as non-game quadrupeds. [Act 217 amending R.S. 56:263; Act 218 amending R.S. 56:101; Act 219 amending R.S. 56:252]

Wildlife and Fisheries—Hunting and fishing

Acts 221 and 355 make minor changes in the open seasons, the former embracing non-game quadrupeds and the latter resident game birds and game quadrupeds. Act 469 shortens the oyster season by twenty days. [Act 221 amending R.S. 56:262; Act 355 amending R.S. 56:115; Act 469 amending R.S. 56:433]

Wildlife and Fisheries—Hunting and fishing

Acts 392, 550 and 666 all make provision for the taking of garfish. The first of these measures permits such fish to be taken with bows and arrows. The second removes them from the restrictions otherwise applicable to the taking of commercial fish and also permits the taking of commercial fish of all kinds in salt water by skin divers using spearfishing equipment. The third act permits sport fishing for garfish with spears and also modifies the daily possession limits on black bass and sea trout.

[Act 392 amending R.S. 56:323; Act 550 amending R.S. 56:366; Act 666 amending R.S. 56:323-324]

Wildlife and Fisheries—Hunting and fishing

Act 397 makes it permissible for two or more raccoon hunters with one or more dogs to use lights and to carry one .22 calibre single shot rifle per hunting party provided only single shot ammunition is used. [Amending R.S. 56:124]

Wildlife and Fisheries—Hunting and fishing

Act 513 removes the prohibition against (a) taking any quadruped less than one year old and (b) using deer hunting camps as hunting headquarters for more than three consecutive days in any calendar week or by more than fifteen hunters on any one day. [Amending R.S. 56:124]

Wildlife and Fisheries—Hunting and fishing

Ring-necked pheasants are removed from the list of birds for which there is no open season by Act 584, while Act 554 exempts hares and rabbits imported from other states from the prohibition against sale. [Act 584 amending R.S. 56:115; Act 554 amending R.S. 56:124]

Wildlife and Fisheries—Hunting and fishing

Act 716 prohibits the shooting of deer with a .22 calibre rifle at any time, prohibits the shooting of deer on highways and forbids loitering with a gun on highways during deer season. The act also prohibits dogs from running at large in the woods between April 1 and August 31, but permits hunting fur bearing animals with dogs, prohibited by prior law. [Amending R.S. 56:124]

Wildlife and Fisheries—Severance tax changes

Act 220 reduces the severance tax on nutria (coypu) skins from five to two cents each.

Act 667 repeals the severance tax of four cents per pound on undressed frogs. [Act 220 amending R.S. 56:253; Act 667 repealing R.S. 56:372-373]

Workmen's Compensation—Act not to cover agricultural workers while being transported to or from work

Act 222 amends the Workmen's Compensation Act by specifically excluding agricultural employees from coverage for the

period during which they are being transported to or from work, regardless of the means of transportation or the ownership of the transportation facility. It further provides that in no case shall members of the crew of any airplane engaged in dusting or spraying be considered as covered by the act insofar as they might be regarded as independent contractors, sub-contractors, or employees of any person, firm or corporation engaged in the principal business of agriculture. [Adding R.S. 23:1045]

Workmen's Compensation—Compensation checks may be mailed to payee

Act 723 permits a recipient of workmen's compensation benefits to give a mailing address and receive payment through the mail when away from the place where wages were paid. If the arrangement is to continue more than one month, court approval must be obtained. [Amending R.S. 23:1201]

Workmen's Compensation—Jurisdiction for compromise settlements

Act 724 adds a clarifying sentence to the Workmen's Compensation Act relating to compromise settlements which require court approval, stating that it shall be the court having jurisdiction where the employer's place of business is located, or where the injury occurred, or where the employee resides. [Amending R.S. 23:1271]